

RURAL MUNICIPALITY OF THE GAP NO. 39 BYLAW NO. 2/2023

A BYLAW TO DESIGNATE ALL MUNICIPAL ROADS AS PRIMARY WEIGHT ROADS & PROVIDE FOR THE OPERATION OF OVERWEIGHT VEHICLES

The Council of the Rural Municipality of The Gap No. 39, in the Province of Saskatchewan, enacts as follows:

PART I - PURPOSE AND DEFINITIONS

Purpose

1. The purpose of this bylaw is:
 - a) to designate all municipal roads located within the boundaries of the Rural Municipality of The Gap No. 39 as primary weight roads; and
 - b) to establish a permitting process for the operation of overweight vehicles on municipal roads.

Definitions

2. Except as hereinafter provided, words used in this bylaw shall have the meanings ascribed to them in *The Vehicle Weight and Dimension Regulations, 2010*. In this bylaw:
 - a) "Administrator" means the Administrator of the Rural Municipality of The Gap No. 39, appointed pursuant to section 110 of *The Municipalities Act*;
 - b) "Council" means the Council of the Rural Municipality of The Gap No. 39;
 - c) "Minister" means the member of the Executive Council to whom for the time being the administration of *The Highway and Transportation Act, 1997*, is assigned; and
 - d) "Municipality" means the Rural Municipality of The Gap No. 39.

PART II - VEHICLE WEIGHTS

Weight Limits on Certain Roads

3. (1) All roads within the limits of the Rural Municipality of The Gap No. 39 shall be designated primary highway weights as outlined in *The Vehicle Weight and Dimension Regulations, 2010*.
(2) It shall be recognized that the municipality has within its boundaries a designated "Clear the Path Corridor" that shall be designated primary highway weights as outlined in *The Vehicle Weight and Dimension Regulations, 2010*.
(3) No person shall, without a permit issued;
 - a) Pursuant to section 5 of this bylaw; or
 - b) By the Minister pursuant to section 36 of *The Highways and Transportation Act, 1997*;operate or move or cause to be operated or moved on or over a municipal highway a vehicle, the gross vehicle weight of which exceeds the limits specified for primary highways.

Exemptions

4. The restrictions set out in section 3 of this bylaw shall not apply to those vehicles described in section 3 of *The Vehicle Weight and Dimension Regulations, 2010*, including; but not limited to: road maintenance and road construction equipment, motor graders, snow plows, and emergency vehicles.

Permits

5. (1) The Administrator may, if satisfied that the vehicle or combination of vehicles can be operated or moved upon a municipal road without damage to the road or other property, issue a "Municipal Overweight Permit" to the registered owner of the vehicle or combination of vehicles to exceed the maximum gross vehicle weights fixed by this bylaw.
- (2) The Administrator may, if satisfied that the vehicle or combination of vehicles can be operated or moved upon a municipal road without damage to the road or other property during the period of the Spring Weight Restrictions order issued by the Ministry of Highways and Infrastructure, issue a "Municipal Overweight Permit" to the registered owner of the vehicle or combination of vehicles to exceed the maximum gross vehicle weights allowed in the Spring Weight Restrictions order, but not to exceed the gross vehicle weights fixed by this bylaw.
- (3) Persons wishing to haul overweight loads shall make an application for a "Municipal Overweight Permit" to the municipal office. Conditions of the permit shall include:
 - a) The registered owner shall provide to the municipality a valid Certificate of Registration showing license plate number of the vehicle, name of the licensee of each vehicle to be permitted, in addition to the registered Gross Vehicle Weight as issued by Saskatchewan Government Insurance or other Provincial licensing body;
 - b) The roads to be used in the municipality shall be in firm dry condition;
 - c) The persons operating the vehicles shall acknowledge and follow the speed limit of 70 km/hr while hauling overweight loads;
 - d) The municipality has the authority to revoke any permit as deemed necessary; and
 - e) Applicable charges for issuance of a permit shall include:
 - a. Per trip through the municipality - \$50.00 per truck with the exception of during Spring Weight Restrictions.
 - b. Per trip through the municipality - \$100.00 per truck during Spring Weight Restrictions with the express consent of the Division Councillor(s) whose road(s) are going to be affected.
- (4) Pursuant to section 22 of *The Municipalities Act* any person who wishes to use a municipal road for the purpose of transporting quantities of goods or materials that are, in the opinion of Council, significant in nature, must first enter into a Road Maintenance Agreement. Vehicles used in connection with "bulk haul" operations will not be eligible for a "Municipal Overweight Permit" unless they have first entered into a Road Maintenance Agreement.
- (5) The issuance of a "Municipal Overweight Permit" does, in no way, limit the liability of any hauler who may cause damage to the municipal road structure and/or culverts and such hauler shall be responsible for the restoration of any road and/or culvert should damage occur.

PART III - ENFORCEMENT

Penalty

6. (1) A person who contravenes any provision of this bylaw is guilty of an offence.
- (2) The penalty for breach of any provision of this bylaw shall be those set out in the General Penalty Bylaw of the municipality.

PART IV - REPEALING PREVIOUS BYLAWS

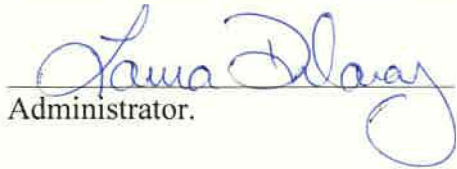
7. Bylaw No. 1/2021 is hereby repealed.

PART V - COMING INTO FORCE

8. This Bylaw shall come into force at take effect on January 1, 2024.




Reeve.


Administrator.

Certified a true copy of Bylaw No. 2/2023
adopted by resolution of the Council of the
Rural Municipality of The Gap No. 39
on the 13th day of December, 2023.




Reeve.


Administrator.